

## *Office of the Chapter 13 Standing Trustee*

### ***Andrew B. Finberg, Chapter 13 Standing Trustee***

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November 18, 2024

The Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court  
P.O. Box 2067  
Camden, New Jersey 08102

**RE: Chapter 13 Bankruptcy  
Case No. 23-19372 (JNP)  
Debtor(s) Name: Peter A. Polijczuk**

Dear Judge Poslusny:

Please accept this letter in lieu of a more formal response to Debtor's Motion to Return Funds Paid to Trustee returnable on December 10, 2024, at 11 a.m.

Debtor filed a Chapter 13 Petition on October 23, 2023, with the assistance of David A. Kasen, Esquire. Debtor filed a Chapter 13 Plan on November 10, 2023, which proposed payment of \$1,937 for thirty-six (36) months to pay mortgage arrears to Mr. Cooper for \$2,040.97 and a pro rata dividend of the base amount to unsecured creditors who timely filed a proof of claim.

On November 6, 2024, at the seventh listing for confirmation, the Trustee recommended dismissal. The Court entered the Order of Dismissal on November 7, 2024. The Trustee is currently holding funds in the amount of \$20,823.60 (\$23,100 minus trustee's compensation of \$2,276.40). Pursuant to Debtor's Motion, Debtor's sister, Tiffany Polijczuk, submitted the plan payments to the Trustee. Debtor is requesting the amount of \$23,100 be disbursed to Tiffany Polijczuk.

The Trustee respectfully requests an amended Order be submitted to Judge's chambers to state that the Trustee shall disburse the refund in the amount of \$20,823.60, which are the funds paid to date less the Trustee's percentage fee he which is entitled to receive "...from all payments received..." 28 U.S.C. § 586(e)(2).

As always, the Court is welcome to contact the Trustee with any concerns.

Respectfully submitted,

/s/ William H. Clunn  
William H. Clunn, III, Staff Attorney for  
Andrew B. Finberg,  
Chapter 13 Standing Trustee

WHC/kt

cc: Kasen & Kasen (Via CM/ECF and e-mail)  
Peter A. Polijczuk (Via First Class Mail)